MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chairwoman Arlene Becker, on March 27, 2009 at 3:30 P.M., in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Arlene Becker, Chairwoman (D)

Rep. Mary Caferro, Vice Chairwoman (D)

Rep. Pat Ingraham, Vice Chairwoman (R)

Rep. Bill Beck (R)

Rep. Julie French (D)

Rep. Timothy Furey (D)

Rep. David Howard (R)

Rep. Chuck Hunter (D)

Rep. Dave McAlpin (D)

Rep. Michael More (R)

Rep. Pat Noonan (D)

Rep. Ken Peterson (R)

Rep. Diane Sands (D)

Rep. Cary Smith (R)

Rep. Ron Stoker (R)

Rep. Jeffery Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Santella Baglivo, Committee Secretary

Sue O'Connell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 439, 3/2/2009; SB 446, 3/2/2009

Executive Action: SB 326, SB 330, SB 399, SB 442

HEARING ON SB 446

Opening Statement by Sponsor:

00:00:49 Sen. Bob Story (R), SD 30, opened the hearing on SB 446, Revise specialty hospital law.

Proponents' Testimony:

00:05:42 Bob Olsen, Montana Hospital Association

EXHIBIT (huh68a01)

- 00:16:23 Jim Paquette, President, St. Vincent Health Care
- 00:22:09 Paul Cook, President, Rocky Mountain Health Network

EXHIBIT (huh68a02)

- 00:25:16 John Nordwick, President, Bozeman Deaconess Hospital
- 00:26:31 Jim Haley, Chief Medical Officer, St. Peter's Hospital
- 00:27:16 Aimee Grmoljez, Billings Clinic
- 00:29:04 Mary McCue, Montana Medical Association
- 00:29:47 Mona Jamison, Great Falls Clinic and Medical Center
- 00:31:19 John Flink, Montana Hospital Association

EXHIBIT (huh68a03)

Opponents' Testimony: None

Informational Testimony:

00:32:11 Roy Kemp, Deputy Administrator, Quality Assurance Division, Department of Public Health and Human Services (DPHHS)

Questions from Committee Members and Responses:

- 00:32:46 Rep. Stoker
- 00:33:22 Mr. Kemp
- 00:33:48 Rep. Stoker
- 00:34:02 Mr. Kemp
- 00:34:09 Rep. Stoker
- 00:34:15 Mr. Kemp
- 00:34:52 Rep. Beck
- 00:35:25 Mr. Olsen
- 00:37:10 Rep. Beck
- 00:37:43 Mr. Olsen
- 00:38:25 Rep. Beck
- 00:39:07 Mr. Olsen
- 00:40:21 Rep. Furey
- 00:41:01 Mr. Flink
- 00:41:10 Rep. Furey
- 00:41:17 Mr. Flink

00:41:40 Rep. Peterson 00:42:16 Mr. Paquette 00:43:44 Rep. Peterson 00:44:10 Mr. Paquette 00:44:39 Rep. Peterson 00:45:02 Mr. Paquette 00:45:12 Rep. Peterson 00:45:17 Mr. Olsen 00:46:00 Rep. Peterson 00:46:07 Mr. Olsen 00:46:43 Rep. Peterson 00:47:12 Mr. Olsen 00:47:52 Rep. McAlpin 00:48:03 Mr. Olsen 00:48:33 Rep. McAlpin 00:48:36 Rep. Sands 00:49:52 Mr. Olsen 00:51:11 Rep. Sands 00:51:28 Mr. Olsen 00:51:32 Rep. Sands 00:52:31 Mr. Olsen 00:53:29 Rep. Sands 00:54:03 Mr. Olsen 00:55:21 Rep. Sands 00:55:51 Mr. Olsen 00:57:03 Rep. Peterson 00:58:02 Mr. Olsen 00:59:29 Rep. Peterson 00:59:46 Mr. Olsen 01:00:28 Rep. Peterson 01:00:39 Mr. Olsen 01:01:41 Rep. Beck 01:02:40 Mr. Olsen

Closing by Sponsor:

01:03:30 Sen. Story

HEARING ON SB 439

Opening Statement by Sponsor:

01:03:51 Sen. Bob Story (R), SD 30, opened the hearing on SB 439, Extend specialty hospital moratorium.

Proponents' Testimony:

01:04:32 Tom Ebzery, Attorney, Billings, Montana 01:05:08 Bob Olsen, Montana Hospital Association

01:05:41 Chairwoman Becker requested that the following proponents be listed: Aimee Grmoljez, John Flink, Jim Paquette, Paul Cook, John Nordwick, Jim Haley

Opponents' Testimony:

01:06:06 Mary McCue, Montana Medical Association 01:07:05 Mona Jamison, Great Falls Clinic and Medical Center

Informational Testimony: None

Questions from Committee Members and Responses:

01:08:20 Rep. Sands 01:08:55 Mr. Flink

Closing by Sponsor:

01:09:52 Sen. Story
01:12:26 Rep. Caferro
01:12:36 Rep. Stoker
01:12:46 Chairwoman Becker
01:12:55 Chairwoman Becker called a recess.
01:26:20 Chairwoman Becker resumed hearing.

EXECUTIVE ACTION ON SB 326

01:26:51 <u>Motion</u>: Rep. Caferro moved that **SB 326 BE CONCURRED** IN.

01:27:15 <u>Motion</u>: Rep. French moved that **SB 326 BE AMENDED**. **EXHIBIT**(huh68a04)

Discussion:

01:27:53 Ms. O'Connell, Legislative Services Division
01:29:05 Rep. French
01:29:13 Ms. O'Connell
01:29:23 Rep. Furey
01:29:40 Ms. O'Connell
01:30:02 Rep. Peterson
01:30:12 Rep. French
01:30:18 Rep. Stoker
01:31:00 Ms. O'Connell
01:31:25 Rep. Furey called the question.

- 01:31:36 Vote: Motion carried 14-2 by voice vote with Rep. Howard and Rep. Smith voting no. Rep. Howard voted by proxy.
- 01:31:56 Motion: Rep. Caferro moved that SB 326 BE CONCURRED IN AS AMENDED.

Discussion:

- 01:32:03 Rep. Peterson 01:32:15 Ms. O'Connell 01:32:27 Rep. McAlpin
- 01:32:48 Rep. Ingraham
- 01:34:09 Rep. French
- 01:35:08 Rep. Peterson
- 01:35:43 Rep. French 01:35:48 Chairwoman Becker
- 01:37:15 Rep. Stoker
- 01:41:36 Rep. Sands
- 01:42:20 Rep. Stoker
- 01:44:28 Rep. Furey
- 01:44:37 Ms. O'Connell
- 01:45:00 Rep. Ingraham
- 01:45:35 Rep. Stoker
- 01:45:58 **Vote**: Motion failed 8-8 by roll call vote with Rep. Becker, Rep. Caferro, Rep. French, Rep. Furey, Rep. Hunter, Rep. McAlpin, Rep. Noonan, and Rep. Sands voting aye. Rep. Howard voted by proxy.

EXECUTIVE ACTION ON SB 330

01:46:45 Motion: Rep. Caferro moved that SB 330 BE CONCURRED IN.

Discussion:

- 01:47:15 Ms. O'Connell
- 01:48:04 Motion: Rep. French moved that SB 330 BE AMENDED. EXHIBIT (huh68a05)

- 01:48:35 Rep. Hunter
- 01:48:36 Rep. Beck left.
- 01:48:44 Chairwoman Becker

- 01:48:50 Rep. Caferro called the question.
- 01:48:56 **Vote**: Motion carried 15-1 by voice vote with Rep. Peterson voting no. Reps. Howard and Beck voted by proxy.
- 01:49:12 Motion: Rep. Caferro moved that SB 330 BE CONCURRED IN AS AMENDED.

Discussion:

- 01:49:25 Rep. Hunter
- 01:50:24 Rep. Smith
- 01:50:36 Rep. Peterson
- 01:51:02 Ms. O'Connell
- 01:51:08 Rep. French
- 01:51:22 Chairwoman Becker
- 01:51:43 Motion: Rep. Peterson moved that SB 330 BE AMENDED CONCEPTUALLY.

Discussion:

- 01:52:00 Rep. Caferro
- 01:52:14 Chairwoman Becker
- 01:52:24 Rep. Peterson
- 01:52:48 Chairwoman Becker
- 01:52:49 Rep. Sands
- 01:53:15 Rep. French 01:53:23 Rep. Peterson
- 01:53:30 Rep. Hunter
- 01:54:04 Rep. Welborn called the question.
- Vote: Motion carried unanimously by voice vote. Reps. 01:54:07 Howard and Beck voted by proxy.
- 01:54:29 Motion: Rep. Caferro moved that SB 330 BE CONCURRED IN AS AMENDED.

- 01:54:38 Rep. Ingraham
- 01:55:21 Rep. Caferro
- 01:55:33 Rep. Peterson
- 01:55:55 Rep. McAlpin called the question.

01:56:00 <u>Vote</u>: Motion carried 9-7 by roll call vote with Rep. Ingraham, Rep. More, Rep. Smith, Rep. Stoker, and Rep. Welborn voting no. Reps. Howard and Beck voted by proxy.

EXECUTIVE ACTION ON SB 399

01:56:57 <u>Motion</u>: Rep. Caferro moved that **SB 399 BE CONCURRED** IN.

Discussion:

- 01:57:23 Rep. Noonan
- 01:57:57 Chairwoman Becker
- 01:58:09 <u>Motion</u>: Rep. Noonan moved that **SB 399 BE AMENDED**. **EXHIBIT**(huh68a06)
- 01:59:03 Rep. Stoker called the question.
- 01:59:07 <u>Vote</u>: Motion carried unanimously by voice vote. Reps. Howard and Beck voted by proxy.
- 01:59:20 <u>Motion</u>: Rep. Caferro moved that **SB 399 BE CONCURRED IN AS AMENDED**.

Discussion:

- 01:59:35 Rep. Noonan
- 01:59:39 Rep. Ingraham
- 01:59:44 Rep. Noonan
- 02:00:34 Rep. Ingraham
- 02:01:07 Rep. Noonan
- 02:01:48 Chairwoman Becker
- 02:01:53 Rep. McAlpin called the question.
- 02:01:59 <u>Vote</u>: Motion carried 12-4 by voice vote with Rep. More, Rep. Peterson, Rep. Smith, and Rep. Beck voting no. Reps. Howard and Beck voted by proxy.
- 02:02:15 Rep. French left.

EXECUTIVE ACTION ON SB 442

02:02:38 <u>Motion</u>: Rep. Caferro moved that **SB 442 BE CONCURRED** IN.

- 02:02:58 <u>Motion</u>: Rep. Ingraham moved that **SB 442 BE AMENDED**. **EXHIBIT**(huh68a07)
- 02:04:09 Rep. McAlpin called the question.
- 02:04:14 <u>Vote</u>: Motion carried 15-1 by voice vote with Rep. Beck voting no. Reps. French, Howard, and Beck voted by proxy.
- 02:04:35 <u>Motion</u>: Rep. Caferro moved that **SB 442 BE CONCURRED IN AS AMENDED**.

- 02:04:42 Rep. McAlpin
- 02:05:02 Chairwoman Becker
- 02:05:11 Rep. French enters.
- 02:05:18 Rep. Ingraham
- 02:06:15 Rep. Sands
- 02:06:36 Chairwoman Becker
- 02:06:50 Rep. Stoker
- 02:06:55 Rep. Smith
- 02:08:00 Rep. Peterson
- 02:08:41 Rep. Sands
- 02:08:47 <u>Motion</u>: Rep. Peterson moved that **SB 442 BE AMENDED CONCEPTUALLY**.
- 02:09:15 Chairwoman Becker
- 02:09:25 Rep. Sands
- 02:09:33 Chairwoman Becker
- 02:09:52 Rep. Stoker called the question.
- 02:09:57 <u>Vote</u>: Motion carried unanimously by voice vote. Reps. Howard and Beck voted by proxy.
- 02:10:09 <u>Motion</u>: Rep. Caferro moved that **SB 442 BE CONCURRED IN AS AMENDED**.
- 02:10:18 Rep. Noonan called the question.
- 02:10:24 <u>Vote</u>: Motion carried 14-2 by voice vote with Rep. Smith and Rep. Beck voting no. Reps. Howard and Beck voted by proxy.
- 02:11:10 Reps. Furey, Hunter, and Smith left.

EXECUTIVE ACTION ON SB 51

Discussion:

- 02:11:23 Ms. O'Connell
- 02:11:58 Rep. French
- 02:13:05 Rep. More
- 02:14:16 Rep. Stoker
- 02:14:36 Rep. French
- 02:15:03 Rep. Ingraham
- 02:15:14 Rep. French 02:15:18 Rep. Ingraham
- 02:15:57 Rep. French
 02:17:55 Chairwoman Becker
- 02:18:25 Rep. French
- 02:19:26 Rep. More
- 02:20:19 Rep. Caferro
- 02:20:30 Chairman Becker
- 02:20:43 Rep. French
- 02:20:58 Chairman Becker
- 02:21:16 Ms. O'Connell
- 02:21:42 Chairwoman Becker
- 02:21:55 Motion: Rep. Caferro moved to RECONSIDER THE AMENDMENT on **SB** 51.
- 02:22:26 Chairwoman Becker
- 02:22:43 Ms. O'Connell
- 02:22:53 Rep. Noonan called the question.
- 02:23:13 Vote: Motion carried unanimously by voice vote. Reps. Smith, Beck, Howard, Furey, and Hunter voted by proxy.

- 02:23:47 Rep. Stoker
- 02:23:57 Chairwoman Becker
- 02:24:01 Motion: Rep. Stoker moved to REMOVE THE AMENDMENT on **SB** 51.
- 02:24:08 Vote: Motion carried unanimously by voice vote. Reps. Smith, Beck, Howard, Furey and Hunter voted by proxy.
- 02:24:40 Motion: Rep. McAlpin moved that SB 51 BE CONCURRED IN.

Rep. McAlpin moved that SB 51 BE CONCURRED IN 02:25:03 Motion: AS AMENDED.

EXHIBIT (huh68a08)

- 02:25:20 Rep. Stoker called the question.
- 02:25:30 **Vote**: Motion carried 15-1 by voice vote with Rep. Caferro voting no. Reps. Smith, Beck, Howard, Furey, and Hunter voted by proxy.
- 02:26:06 Chairwoman Becker
- 02:26:10 Motion: Rep. Ingraham moved that SB 51 BE CONCURRED IN AS AMENDED.

Discussion:

- 02:26:32 Rep. French
- 02:28:16 Rep. Sands
- 02:28:56 Rep. Stoker 02:29:27 Rep. Ingraham
- 02:29:30 Rep. Noonan left.
- 02:31:24 Substitute Motion: Rep. Peterson moved that SB 51 BE AMENDED CONCEPTUALLY.
- 02:32:08 Vote: Motion carried unanimously by voice vote. Reps. Smith, Beck, Howard, Furey, Noonan, and Hunter voted by proxy.

- 02:32:09 Chairwoman Becker
- 02:32:26 Rep. French
- 02:32:48 Rep. Peterson
- 02:32:53 Rep. Sands
- 02:33:51 Rep. More
- 02:34:19 Rep. Caferro
- 02:34:27 Rep. Peterson
- 02:36:02 Motion: Rep. Stoker moved that SB 51 BE CONCURRED IN AS AMENDED.
- 02:37:25 Vote: Motion failed 6-10 by roll call vote with Rep. Furey, Rep. Howard, Rep. Hunter, Rep. McAlpin, Rep. More, and Rep. Welborn voting aye. Reps. Smith, Beck, Howard, Furey, Noonan, and Hunter voted by proxy.

- 02:37:31 <u>Motion/Vote</u>: Rep. Sands moved that **SB 51 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Reps. Smith, Beck, Howard, Furey, Noonan, and Hunter voted by proxy.
- 02:37:51 Chairwoman Becker

<u>ADJOURNMENT</u>

02:38:15 Adjournment: 6:08 P.M.

Santella Baglivo, Secretary

sb

Additional Documents:

EXHIBIT (huh68aad.pdf)